

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
OCTOBER 14, 2008
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Commissioner Burg – Present
Commissioner Lindell – Present
Commissioner Sheldon – Present
Commissioner Smith – Absent
Commissioner Swain – Present
Commissioner Acton – Present / Arrived Late
Chairman Backer – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

None

NEW BUSINESS:

None

OLD BUSINESS:

Review and discussion of the Comprehensive Plan, Representatives from the University of Delaware were present.

Ed O'Donnell from the University of Delaware began the meeting regarding the Comprehensive Plan.

The commission discussed the planning process as far as what the municipality would like to accomplish. The planning process incorporates the states role, the local governments' role and the citizens' role.

Mr. O'Donnell discussed the work program and the schedule. He discussed how this is a plan update, where we take the existing plan and updating it to meet the criteria of HP255 which sets the planning legislation throughout the state, and to get the Town re-certified. The certification would allow the Town to be eligible for funding and other purposes such as that.

The schedule he shared was that from August of 2008 through December of 2009 we would be working on this update. The basic research portion will be done by fall of 2008, and the public participation should also be completed by fall of 2008. The draft plan must be submitted to the University of Delaware by Spring of 2009, and be submitted to Plus in the summer of 2009 and Final Certification and Adoption in the fall of 2009.

The Town must look at some of the following things during the update, Water, Sewer, Infrastructure, Utilities, Police Protection, Municipal Services. Also the Town will need to update the Land Use map with any changes that have occurred since the 2004 Comprehensive Plan.

The Commission looked at the goals and visions from the 1972 & 2004 Comprehensive Plans. These goals were broken down into several categories and packets were distributed to the Commission at this time.

Mr. O'Donnell asked if the Commission would like to change anything in the 10-15 year vision. He also asked if the Commission would submit by the end of October a final copy of all changes to be made so that the next step may be taken.

Chairman Backer asked to add the ability to annex into the 10-15 year vision.

Mr. O'Donnell informed the Commission that if annexation is being added to the Comprehensive plan it would be in the Towns best interest to spell out exactly which areas they are considering adding and what the proposed use of that land would be. If this information is in the plan when the Town does decided to annex the process would be simpler and the comprehensive plan would not require an amendment.

Mr. O'Donnell asked if the Town has accomplished any of the items on the vision list such as using the library more.

Chairman Backer stated that he has seen an increase in the amount that the library is used and would like to see the Town Hall used more.

Commissioner Burg brought up the vision that states "Change "Kirkwood Hwy" to "Main Street" and enter into a "Main Street USA" program" and stated that the Town has taken some steps to create this with things such as the Town's new color pallet ordinance. He also stated that transportation has an effect on this as well.

Town Manager John Giles stated that the Town has taken steps toward the Main Street program however the Town does not qualify for the traditional Main Street program. We may qualify for what the state calls a Main Street Affiliate Program.

Mr. O'Donnell recommended that the Town have an intergovernmental meeting with DelDOT, WILMAPCO and other major authorities such as that.

Mr. Giles stated that as far as the housing market in the Town which is included in the vision, the properties move fast and most don't stay vacant for long. He also stated that most people see this as small Town Delaware.

Mr. Giles stated that the Town has addressed the vision to acquire its own postal address. The Federal Governments has told the Town that we will not be given our own postal zip code.

Chairman Backer stated that the postal address should remain a vision and maybe in the future it will still happen.

Mr. Giles addressed the re-greening and how the town has very little green space other than park land. The Town is unable to build on parkland due to state funding. Once state funding is received for a park it must remain a park therefore the Town will continue to have a numerous number of parks. He also addressed that the Town has recently acquired a new park which will be turned into a dog park and the re-greening of the medians throughout the Town and the number of compliments we receive regarding this.

Mr. Giles addressed positive image of the Town, he stated that the only problem is any small news article sets the Town back. The news articles often say near elsmere, and when it's an article about the Town it runs repeatedly. The Town will get the image up and every small article will set us back again.

Mr. O'Donnell asked what the Commission thought of the Towns neighborhood relations.

Mr. Giles responded stating that a few years ago the town had a problem with a piece of legislation that came up regarding illegal aliens. At that point the town was divided and the community has begun to recover from that.

Commissioner Burg stated that some of the Council members have neighborhood watch meetings.

Mr. Giles addressed the vision of decreasing rental properties and increasing homeownership. This particular goal has not changed the town still has a large number of rental properties.

Mr. O'Donnell asked if the Commission would like to keep this as a goal for the comprehensive plan.

Mr. Giles and Chairman Backer both agreed that this should remain a goal within the Comprehensive plan.

Mr. O'Donnell asked the Commission what they thought about the goal of being the Town that you may walk around – walking trails and a shopping district.

Mr. Giles stated that the Town has begun looking into this particular part of the plan.

Commissioner Swain stated that there are a number of parks on each side of the Town. He stated that he was trying to think of a way to link all of the parks with a number of trails so that the Town has a number of trails.

Mr. Giles stated that one of his goals is that the Town has a problem with the duplication of street addresses. An example of this is Old South Dupont Road and Dupont Road, and South Dupont Road.

Mr. O'Donnell informed Mr. Giles that the Town should certainly address this issue before the 2010 Census begins, because each municipality will have a survey to this effect to complete for the census.

Commissioner Lindell stated that the Town has established a new Business Partnership and that maintaining this should be a constant goal in the plan.

Commissioner Swain stated that one of the good things that has come out of this new Business Partnership is that the cost for a Commercial Variance has gone down from \$1000.00 to \$300.00.

Mr. O'Donnell asked the Commission about the surrounding land use & redevelopment. He asked how far the Commission how far they have gotten in reviewing the Zoning Code.

Mr. Giles stated that this goal has been completed, however it should remain a goal for every revision of the Comprehensive Plan so that the Town does not become obsolete.

Mr. Giles told Mr. O'Donnell that he is not sure where the Brownfield Redevelopment Opportunities. He is not sure why this particular goal was placed on the plan during the 2004 update.

Mr. O'Donnell Stated that he believes that the Town had this goal due to the small amount of General Industry Land on B & O Lane that may not stay.

Mr. Giles agreed and stated that this goal should remain part of the plan.

Commissioner Swain asked Mr. Giles if there were other parcels in the Town such as the old DP & L Substation that the town has purchased for the dog park that could be removed and become vacant that the town could then purchase.

Mr. Giles stated that there is nothing to that nature that he is aware of, the only thing similar to this is the AT&T service center on Colonial Ave.

Mr. O'Donnell asked the Commission about Community Development & Design.

Commissioner Swain stated that the Town has taken some of the steps toward directing development so that it is consistent with Town Values. The Town has adopted a color pallet for building color throughout the Town.

Mr. O'Donnell pointed out that most of the topics regarding Community Development & Design have been discussed in other parts of the plan already.

The Commission moved on to Future Land Use.

Mr. Giles stated that the review of the Code for subdivision and zoning is complete and will be implemented with the Comprehensive Plan update.

Mr. Giles also stated that infill should be added to the comprehensive plan to prevent it from being permitted.

The Commission moved on to Transportation.

Mr. Giles stated that we should keep the goal to revise the Elsmere code to require sidewalks in all new residential and non residential development and redevelopment because it has not yet been implemented.

Mr. Giles stated that the inventory of the street, signage and sidewalk repair/replacement need and develop a schedule and budget to make improvements is complete and the Town is actively working towards implementing the repairs.

Mr. O'Donnell asked about instituting a sidewalk-inspection-and-repair program.

The Commission collectively decided that this goal should remain a goal.

Mr. O'Donnell addressed the Commission regarding their previous goal to reduce the speed along Kirkwood Hwy. He stated that it had been previously submitted to reduce the speed to DelDOT and at the Plus hearing it was objected.

Commissioner Burg stated that this goal needed to remain a part of the Comprehensive Plan and one of the ways to accomplish this is to redesign the path on Kirkwood Hwy. He described Route 52 where the speed limit is posted at 35 mph however with the design of the street there is no way to maintain a speed of 35 mph.

Mr. Giles stated that this is called Traffic Calming.

Commissioner Swain stated that there are several billboards that have a perfect example of why the speed along Kirkwood Hwy should be reduced. The billboard has a picture of a child and states that “at 25mph I will be hurt at 35mph I’m dead.”

Mr. O’Donnell asked the Commission what their thoughts were about vacating/dissolving paper street designations for streets in the floodplain off B & O Lane.

Mr. Giles stated that the Town has not addressed that and nor does he think the Town wants to. He stated that these streets are in the floodplain and that the floodplain restrictions will apply and that these roads have been very influential in being able to stop undesirable development in that area of the Town. He recommended that this goal be removed from the Comprehensive Plan.

Chairman Backer agreed that to prevent further construction in the Town that this goal should be removed.

Mr. O’Donnell asked the Commission about the upgrades to the Kirkwood Hwy bus shelters and possible adding a few additional shelters.

Mr. Giles stated that this was reviewed and that there are now benches at every bus stop along Kirkwood Hwy and the Town has also been granted a new bus shelter at Sanders Road. However there are no additional places along the highway where shelters may be installed because the right of way encroaches along private property.

Commissioner Burg stated that if there are no additional spaces for the bus shelters to be installed there is no reason to keep this as a goal in the plan and that it should be removed.

Mr. O’Donnell questioned the Commission regarding enhancing the interconnectivity of Elsmere by updating sidewalks to ADA standards and adding striped crosswalks at all intersections.

Mr. Giles stated that the Town has begun to do this and it is part of the Town’s sidewalk evaluation program however the crosswalks will not be at every intersection because it would be unsightly to have lines going across the street at every corner of the Town however all of the school paths and heavily traveled paths will have the crosswalks.

Mr. O’Donnell asked the Commissions opinions on affordable housing.

Commissioner Sheldon stated that property maintenance and housing code enforcement should remain a part of the Comprehensive Plan.

Chairman Backer agreed and stated that although the Town has improved with the enforcement of these codes it should be constantly maintained.

Mr. Giles spoke about participating in a Community Development Block Grant. He stated that the Town applies for the grant every year whether we receive the grant or not.

Mr. Giles about referring at-risk housing to the proper agencies, and stated that this is currently done predominately through the Code Enforcement Department.

The Commission came to a mutual agreement to continue to review the zoning code every time the Comprehensive plan is updated to prevent the Town from being obsolete.

Mr. Giles spoke about working with FEMA to address flooding, he feels that the Town should add working with DEMA as well.

Mr. O'Donnell stated that the Delaware State Housing Authority has created a toolbox for municipalities that use affordable housing in their Comprehensive Plan. The DSHA would like to help write this portion of the Town's Comprehensive Plan and in return use the Town's Comprehensive Plan as an example. He also stated that on November 5, 2008 the Town, and the University of Delaware have a field tour with the DSHA throughout the Town to discuss the current housing deficiencies throughout the Town.

The Commission moved to Environmental Protection.

Commissioner Sheldon stated that the Town should continue to conduct surveys to monitor flooding throughout the Town due to the unpredictable weather.

Mr. Giles stated that the Town has started to collect parcel data to track flooding from each storm and we have been dealing with DEMA and FEMA in this project and that the Town should continue to do this.

Mr. Giles stated that the Town has continued to work on this and the number of events that have occurred have decreased however the City of Wilmington on certain occasions throughout the year have dumped raw sewage on Town streets and this needs to be addressed.

Commissioner Lindell stated that restrictions on construction within flood districts and flood fringe is in our current zoning code.

Mr. Giles stated that the Town must mandate this so that the residents remain eligible for flood insurance.

Mr. Giles stated that the Town will continue to utilize FEMA assistance for infrastructure improvements.

Mr. Giles stated that the Town has been working with FEMA regarding the state mandated Total Maximum Daily Loads and will continue to work with them regarding this.

Mr. Giles acknowledged that the town has not taken any measures toward encouraging alternate forms of transportation.

Mr. Giles mentioned that the Town has not been working with DelDOT or DNREC regarding monitoring noise and pollution levels for Kirkwood Hwy.

Commissioner Lindell stated that this should remain a part of the Comprehensive Plan due to the railroad throughout the Town.

The Commission moved on to Open Space & Recreation, Community Facilities.

The Commission agreed that the Town will keep all of the goals under open space and recreation with no additions or further comments regarding this.

The Commission agreed that the Town will keep all of the goals under Community Facilities with no additions or further comments regarding this.

The Commission continued to the Economic Development portion of the Comprehensive Plan.

The Commission briefly recapped the discussions regarding Main Street, rearranging traffic patterns such as “calming”, architecture – which is done through the color pallet, mobility friendly access with ADA Sidewalks, make the town more inviting – through color pallet.

Mr. O’Donnell suggested that to bring new businesses into the Town they establish a Business District Plan, for what the Town wants the business district to be like.

The Commission continued to Implementing Strategies.

Chairman Backer suggested that the Town change “Revise both the zoning map and text after plan adoption and certification” to “Review both the zoning map and text after plan adoption and certification.”

Chairman Backer also suggested that the Town change “Revise the zoning & subdivision codes text” to “Review the zoning & subdivision codes text.”

Mr. Giles stated that the states requirement is not to review each of these the requirement is to revise them.

Commissioner Swain suggested that both goals be change to “Review/Revise” as necessary.

The Commission was in agreement that it be changed to “Review/Revise.”

The Commission continued to Intergovernmental Coordination, Water & Wastewater, Historic & Cultural Resources.

The Commission was in agreement to continue all goals in the Intergovernmental Coordination the same as previously set in 2004.

The Commission would like to continue to work with the City of Wilmington regarding the Water & Wastewater to protect water quality within the Town.

The Commission would also like to continue to consider state and county resources for Historic Preservation within the Town.

Mr. O'Donnell informed the Commission that they had three weeks to think about everything that was discussed note any additional changes and turn their revisions in to Town Manager John Giles so that he may forward them as necessary.

Mr. Giles told the Commission that they have until Friday October 31, 2008 to return all of their recommendations and assignments to him.

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Commissioner Swain to adjourn. The motion was seconded by Commissioner Burg.

VOTE:

All in favor VOTE: 6-0 with 1 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the October 14, 2008 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

LEON BACKER, CHAIRMAN

CHARLES LINDELL, SECRETARY